

House Engrossed

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

FILED
MICHELE REAGAN
SECRETARY OF STATE

CHAPTER 319

HOUSE BILL 2033

AN ACT

AMENDING TITLE 41, CHAPTER 3, ARTICLE 7.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-612; RELATING TO VETERANS' EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 3, article 7.1, Arizona Revised Statutes,
3 is amended by adding section 41-612, to read:

4 41-612. Post-9/11 veteran education relief fund; advisory
5 committee; committee termination; definitions

6 A. THE POST-9/11 VETERAN EDUCATION RELIEF FUND IS ESTABLISHED
7 CONSISTING OF PRIVATE DONATIONS, GRANTS, BEQUESTS AND ANY OTHER MONIES. THE
8 DEPARTMENT SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
9 APPROPRIATED TO THE DEPARTMENT SOLELY FOR THE PURPOSES PRESCRIBED IN THIS
10 SECTION. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
11 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
12 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

13 B. THE POST-9/11 VETERAN EDUCATION RELIEF ADVISORY COMMITTEE IS
14 ESTABLISHED CONSISTING OF THE FOLLOWING MEMBERS:

15 1. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE.

16 2. ONE MEMBER WHO IS RECOMMENDED BY THE ARIZONA BOARD OF REGENTS.

17 3. ONE MEMBER WHO HOLDS A CERTIFICATE FROM THE STATE BOARD OF
18 EDUCATION AND WHO HAS TEACHING EXPERIENCE THAT INCLUDES HIGH SCHOOL EDUCATION
19 OR ONE PUBLIC MEMBER WHO HAS TEACHING EXPERIENCE AT A POSTSECONDARY
20 INSTITUTION.

21 4. ONE MEMBER WHO IS AN ACTIVE DUTY OR RESERVE MEMBER OF THE UNIFORMED
22 SERVICES OF THE UNITED STATES OR NATIONAL GUARD OR WHO HAS RETIRED FROM
23 ACTIVE DUTY OR RESERVE OR NATIONAL GUARD STATUS AND WHO HAS SERVED AS A
24 COMMAND CAREER COUNSELOR OR IN A REGULAR ASSIGNMENT THAT INCLUDED OVERSIGHT
25 OF TRAINING OR EDUCATION PROGRAMS.

26 5. TWO PUBLIC MEMBERS WHO HAVE PROFESSIONAL EXPERIENCE IN HUMAN
27 RESOURCE MANAGEMENT.

28 6. ONE MEMBER FROM AN EDUCATION PROFESSION WHO IS EMPLOYED BY A PUBLIC
29 OR PRIVATE SCHOOL ENTITY.

30 7. TWO MEMBERS WHO ARE MILITARY MEMBERS OR FAMILY MEMBERS OF MILITARY
31 MEMBERS.

32 C. EXCEPT FOR THE DIRECTOR, THE GOVERNOR SHALL APPOINT THE MEMBERS
33 BASED ON RECOMMENDATIONS BY THE DIRECTOR, THE ADJUTANT GENERAL, THE ARIZONA
34 BOARD OF REGENTS AND COMMANDERS OF MILITARY BASES OR RESERVE CENTERS IN THIS
35 STATE. APPOINTED MEMBERS SHALL SERVE FOR A TERM OF TWO YEARS THAT MAY BE
36 EXTENDED OR RENEWED BY THE GOVERNOR AT THE RECOMMENDATION OF THE
37 DIRECTOR. THE ADVISORY COMMITTEE SHALL ELECT A CHAIRPERSON FROM AMONG THE
38 APPOINTED MEMBERS.

39 D. THE ADVISORY COMMITTEE SHALL:

40 1. ESTABLISH CRITERIA FOR THE USE OF MONIES IN THE FUND.

41 2. ESTABLISH AND REVISE AS NECESSARY THE APPLICATION PROCESS FOR
42 FINANCIAL ASSISTANCE.

43 3. REVIEW AND EVALUATE APPLICATIONS.

44 4. MAKE OTHER RECOMMENDATIONS AS NECESSARY.

1 E. THE ADVISORY COMMITTEE MAY MEET IN EXECUTIVE SESSION, WITH NOTICE
2 PURSUANT TO SECTION 38-431.02, TO REVIEW AND EVALUATE APPLICATIONS.
3 APPLICATIONS FOR FINANCIAL ASSISTANCE AND ALL COMMITTEE CONSIDERATIONS AND
4 EVALUATIONS OF THE APPLICATIONS ARE CONFIDENTIAL.

5 F. THE MONIES IN THE FUND SHALL BE USED TO PROVIDE FINANCIAL
6 ASSISTANCE PURSUANT TO THIS SUBSECTION. A QUALIFYING MILITARY VETERAN MAY
7 APPLY FOR FINANCIAL ASSISTANCE FOR THE COST OF TUITION AT A UNIVERSITY THAT
8 IS UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS AND THAT IS AN
9 ARIZONA VETERAN SUPPORTIVE CAMPUS AS DEFINED IN SECTION 41-609. THE
10 ASSISTANCE SHALL BE BASED ON FINANCIAL NEED UP TO THE AMOUNT OF TUITION THAT
11 THE QUALIFYING MILITARY VETERAN WAS CHARGED IN THE LAST YEAR THAT THE VETERAN
12 RECEIVED BENEFITS UNDER THE POST-9/11 VETERANS EDUCATIONAL ASSISTANCE ACT OF
13 2008 (P.L. 110-252; 122 STAT. 2357; 38 UNITED STATES CODE SECTIONS 3301
14 THROUGH 3325). THE ADVISORY COMMITTEE SHALL MAKE TUITION ASSISTANCE PAYMENTS
15 DIRECTLY TO THE UNIVERSITY.

16 G. THE ADVISORY COMMITTEE SHALL ADOPT RULES TO CARRY OUT THE PURPOSES
17 OF THIS SECTION THAT INCLUDE BOTH THE FOLLOWING:

18 1. A MECHANISM TO PUBLICIZE THE AVAILABILITY OF FINANCIAL ASSISTANCE
19 TO POTENTIAL QUALIFYING MILITARY VETERANS.

20 2. A PROCEDURE TO ENSURE THAT FINANCIAL ASSISTANCE AWARDS MADE BEFORE
21 A MILITARY VETERAN WITHDRAWS FROM A UNIVERSITY DUE TO MILITARY ACTIVATION
22 REMAIN AVAILABLE ON REENTRY TO A UNIVERSITY.

23 H. THE COMMITTEE ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2024
24 PURSUANT TO SECTION 41-3103.

25 I. FOR THE PURPOSES OF THIS SECTION:

26 1. "DEPARTMENT" MEANS THE DEPARTMENT OF VETERANS' SERVICES.

27 2. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF VETERANS'
28 SERVICES.

29 3. "MILITARY MEMBER" INCLUDES AN ACTIVE DUTY, RESERVE OR RETIRED
30 MEMBER OF THE UNIFORMED SERVICES OF THE UNITED STATES OR NATIONAL GUARD, A
31 VETERAN WHO IS A MEMBER OF A VETERANS' ORGANIZATION OR A VETERAN WHO HAS A
32 SERVICE-CONNECTED DISABILITY.

33 4. "QUALIFYING MILITARY VETERAN" MEANS A PERSON WHO MEETS ALL OF THE
34 FOLLOWING REQUIREMENTS:

35 (a) IS ELIGIBLE FOR IN-STATE TUITION STATUS PURSUANT TO SECTION
36 15-1802, SUBSECTION G.

37 (b) IS ATTENDING A UNIVERSITY THAT IS UNDER THE JURISDICTION OF THE
38 ARIZONA BOARD OF REGENTS AND THAT IS AN ARIZONA VETERAN SUPPORTIVE CAMPUS AS
39 DEFINED IN SECTION 41-609.

40 (c) MAINTAINS A GRADE POINT AVERAGE OF AT LEAST 2.2 ON A 4.0 SCALE, OR
41 THE EQUIVALENT.

42 (d) HAS QUALIFIED FOR BENEFITS UNDER THE POST-9/11 VETERANS
43 EDUCATIONAL ASSISTANCE ACT OF 2008 (P.L. 110-252; 122 STAT. 2357; 38 UNITED
44 STATES CODE SECTIONS 3301 THROUGH 3325).

1 (e) HAS NOT TRANSFERRED ANY PORTION OF THE PERSON'S BENEFITS UNDER THE
2 PROGRAM TO A DEPENDENT.

3 (f) IS WITHIN ONE YEAR OF COMPLETION OF THE PERSON'S FIRST
4 BACCALAUREATE DEGREE AS A FULL-TIME STUDENT OR WITHIN TWO YEARS OF COMPLETION
5 OF THE PERSON'S FIRST BACCALAUREATE DEGREE AS A PART-TIME STUDENT.

6 Sec. 2. Initial terms of members of the post-9/11 veteran
7 education relief advisory committee

8 A. Notwithstanding section 41-612, Arizona Revised Statutes, the
9 initial terms of members of the post-9/11 veteran education relief advisory
10 committee who are appointed pursuant to section 41-612, subsection C, Arizona
11 Revised Statutes, are:

12 1. Four terms ending January 1, 2017.

13 2. Four terms ending January 1, 2018.

14 B. The governor shall make all subsequent appointments as prescribed
15 by statute.

APPROVED BY THE GOVERNOR MAY 17, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 18, 2016.

Passed the House February 4, 20 16

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

[Signature]
Speaker of the House

☒ Pro Tempore

[Signature]
Chief Clerk of the House

Passed the Senate May 6, 20 16

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

6 day of May, 20 16

at 8:13 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 17th day of

May

at 4:40 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 18th day of May, 20 16

at 10:20 o'clock A M.

[Signature]
Secretary of State

H.B. 2033